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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

12 Jarek Molski, et al., NO. C 04-01945 JW

13 v. Plaintiff(s), **ORDER TO SHOW CAUSE**  
14 Morgan Hill 76, et al., RE: SETTLEMENT15 Defendant(s).  
16 \_\_\_\_\_/17 On August 9, 2005, attorney for the Plaintiffs, Jessica A. Dayton, informed the Court that the  
18 above-entitled matter has reached a settlement. In light of the settlement, the Court vacates all trial and  
19 pretrial dates. On or before **October 17, 2005**, the parties shall file a stipulated dismissal pursuant to  
20 Federal Rule of Civil Procedure 41(a).21 If a dismissal is not filed by the specified date, all parties shall appear in Courtroom No. 8, 4th  
22 Floor, United States District Court, 280 South First Street, San Jose, Ca. on **October 31, 2005** at 9:00  
23 a.m. and to show cause, if any, why the case should not be dismissed pursuant to Fed. R. Civ. P. 41(b).  
24 On or before **October 24, 2005**, the parties shall file a joint statement in response to the Order to Show  
25 Cause. The joint statement shall set forth the status of the activities of the parties for finalizing the settlement  
26 and how much additional time is requested to finalize and file the dismissal. If a voluntary dismissal is filed  
27 as ordered, the Order to Show Cause hearing will be automatically vacated.

28 Failure to comply with any part of this Order will be deemed sufficient grounds to dismiss this

United States District Court

For the Northern District of California

1 action.

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3 Dated: August 26, 2005

4 /s/ James Ware  
5 JAMES WARE  
6 United States District Judge  
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1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

2 Jessica Dayton [jdayton@disabilitieslaw.com](mailto:jdayton@disabilitieslaw.com)  
3 Stephen Thomas Erb [s.erb@erbapc.com](mailto:s.erb@erbapc.com)  
3 Thomas E. Frankovich [tfrankovich@disabilitieslaw.com](mailto:tfrankovich@disabilitieslaw.com)  
4 Thuy Minh-Ha Hoang [thoang@disabilitieslaw.com](mailto:thoang@disabilitieslaw.com)

5 **Dated: August 26, 2005**

Richard W. Wieking, Clerk

6 **By: /s/ JW Chambers**

7 **Ronald L. Davis**  
8 **Courtroom Deputy**